

REMARKS

1. Status:

Favorable reconsideration of this application, as currently amended and in light of the following remarks, is respectfully requested.

In this reply, Applicant canceled claims 1-10 without prejudice or disclaimer; and added claims 11-30. Claims 11-30 are thus currently pending. The additions to the claims are supported by the originally-filed application, as explicitly set forth in section 7 below for the convenience of the Examiner. No new matter has been added.

In the Office Action mailed October 10, 2006, the Examiner objected to the disclosure under 37 C.F.R. § 1.77(b) because of section headings informalities; objected to claims 3-10 under 37 C.F.R. § 1.75(c) because of multiple dependency informalities; objected to claim 2 under M.P.E.P. § 2173.05(d) because of indefiniteness informalities; and rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Schneider (U.S. Patent No. 4,924,952). Claims 3-10 were not examined on the merits.

2. Reply to the Objection to the Disclosure under 37 C.F.R. § 1.77(b):

Applicant amended the disclosure to include section titles and subtitles along the lines suggested in the Office Action. Therefore, Applicant respectfully requests that the objection to the disclosure be withdrawn.

3. Reply to the Objection to Claims 3-10 under 37 C.F.R. § 1.75(c):

Applicant canceled claims 3-10 without prejudice or disclaimer. The objection has thus been rendered moot. Claims 11-30, newly added and further discussed below, do not include any multiple dependencies. Therefore, Applicant respectfully submits

that the objection to claims 3-10 is moot and inapplicable to claims 11-30, and that claims 11-30 are ready for a full and thorough examination on the merits.

4. Reply to the Objection to Claim 2 under M.P.E.P. § 2173.05(d):

Applicant canceled claim 2 without prejudice or disclaimer. The objection has thus been rendered moot. Claims 11-30 do not include language such as “preferably” and “may comprise.” Therefore, Applicant respectfully submits that the objection to claim 2 is moot and inapplicable to claims 11-30, and that claims 11-30 are ready for a full and thorough examination on the merits.

5. Reply to the Rejection of Claims 1 and 2 under 35 U.S.C. § 102(b):

Applicant respectfully requests favorable reconsideration of the rejection of claims 1 and 2 (herein addressed as if directed to claims 11 and 12) based on Schneider for the reasons set forth below.

Claim 11 is directed to a device for a tool string and recites, *inter alia*, “a brake nose arranged at a leading tip of the tool string.” Schneider is directed to a detonating head assembly 30 with a detonating head 34, a landing sleeve 50, and a stinger 42 (see, e.g., abstract). Schneider discloses a landing sleeve assembly 32 comprising an activating plunger and latching mechanism assembly 36, a detonating piston and chamber assembly 38, and a detonator assembly 40 (see Fig. 2 and col. 3, line 25, to col. 4, line 57).

The Examiner asserts that Schneider discloses “a tool string (38) for insertion in a well characterized in that the tool string has a brake nose (at 40) at its leading tip.” Applicant respectfully disagrees. Element 40 in Schneider is not a brake nose, but rather a detonating assembly which “comprises a detonator housing 110 which is

secured to the lower end of the piston housing 92 and the base of which receives a primary detonator 112 and a detonating charge 114" (see col. 4, lines 21-23). A person of ordinary skill in the art would not interpret a primary detonator and a detonating charge to have any "braking" function or capacity. That is, Schneider's detonating assembly is used to produce an explosion (see col. 4, lines 52-57), which explosion might subsequently "break" nearby structures, but Schneider's detonating assembly would never "brake" anything.

Schneider also discloses latching dogs 58 to secure the detonating head 34 in its place (see col. 3, lines 45-48) and safety pins 86 and 108 to keep the plunger 64 and detonating piston 94 in position (see col. 4, lines 33-35 and 42-44), but these elements simply maintain structures in position; do not limit a falling velocity of a tool string; and, especially given their paired structures, have none of the features of a "nose." Moreover, the latching dogs 58 and safety pins 86 and 108 are situated either well above or in the middle of the detonating piston and chamber assembly 38 (see, e.g., Fig. 2), which was asserted by the Examiner to be the tool string , and are therefore not "at a leading tip of the tool string" in any case.

Therefore, Applicant respectfully submits that Schneider fails to teach or suggest any brake nose, and further fails to teach or suggest anything at a leading tip of the structure asserted by the Examiner to be a tool string that would have a function other than detonating a charge. Accordingly, Applicant respectfully submits that Schneider fails to teach or suggest "a brake nose arranged at a leading tip of the tool string."

Claim 12 depends from claim 11 and further recites that "a landing sleeve configured to receive the brake nose is connected in a locking manner to a well tubing."

The Examiner asserts that Schneider discloses that “a landing sleeve (50) is arranged to receive a brake nose is connected in a locking manner to a well tubing (116) and the landing sleeve comprises a brake tubing.” Applicant respectfully disagrees. Schneider states that “[p]erforating guns 24 (see FIG. 1) are run to the bottom of the well 10 attached to completion or testing string (18) by a tubing collar 115 and tubing pup joint 116 (FIG. 2) which has the stinger and landing sleeve assembly 32 screwed thereto” (see col. 4, lines 63-67).

Schneider’s landing sleeve is thus apparently connected to the perforating guns on the tool string, and not to any well tubing. Moreover, Schneider’s landing sleeve does not appear to have any brake tubing and the Office Action does not identify any structure in Schneider that would correspond to a brake tubing. Applicant thus respectfully submits that Schneider fails to teach or suggest “a landing sleeve configured to receive the brake nose is connected in a locking manner to a well tubing.”

Therefore, Applicant respectfully submits that claim 11 and dependent claim 12 are not anticipated by Schneider because Schneider fails to teach or suggest at least “a brake nose arranged at a leading tip of the tool string” and further fails to teach or suggest that “a landing sleeve configured to receive the brake nose is connected in a locking manner to a well tubing.” Accordingly, Applicant respectfully requests that the rejection of claims 1 and 2 (addressed as if directed to claims 11 and 12) under 35 U.S.C. § 102(b) based on Schneider be withdrawn.

6. Presentation of New Claims:

Applicant added Claims 11-30. New claims 11-22 recite features similar to original claims 1-10, except that informalities have been removed; that the claim

structure has been slightly reorganized, in light of the removal of multiple dependencies; and that minor changes have been made throughout the claims to better comply with U.S. claim drafting practice. Applicant added claims 11-22, rather than applying numerous small amendments to claims 1-10, simply for the convenience of the Examiner and claims 1-10 were thus canceled without prejudice or disclaimer.

Claims 23-30 were added to vary the scope of protection recited in the claims. Independent claim 23 and its dependent claims 24-26 are directed to a braking device for limiting a velocity of a tool string and recite, inter alia, “a brake spindle comprising first and second braking sections.” Independent claim 27 and its dependent claims 28-30 are directed to a braking device and recite, inter alia, “a brake spindle comprising at least one labyrinth configured to reduce a velocity of the tool string.”

For at least the reasons discussed in Section 5, Applicant respectfully submits that claims 11 and 12 are neither anticipated nor rendered obvious by the prior art. Claims 13-30, which have not been examined on the merits, are also believed to be neither anticipated nor rendered obvious by the prior art. Applicant respectfully submits that claims 13-30 are ready for a full and thorough examination on the merits.

7. Support for the New Claims:

Non-limiting support for the additions to the claims can be found in the originally-filed application as follows:

Claim 11 (original claim 1); claim 12 (original claim 2); claim 13 (original claim 2); claim 14 (original claim 2); claim 15 (original claim 3); claim 16 (original claim 4); claim 17 (original claim 5); claim 18 (original claim 6); claim 19 (original claim 7); claim 20 (original claim 8); claim 21 (original claim 9); claim 22 (original claim 10); claim 23 (page

4, lines 4-7; page 7, lines 6-12); claim 24 (page 7, lines 11-14; Fig. 1); claim 25 (page 7, lines 19-24); claim 26 (page 7, line 25, to page 8, line 4); claim 27 (page 4, lines 4-7; page 7, lines 6-12); claim 28 (page 4, lines 4-7; page 7, lines 6-14; page 10, line 23, to page 11, line 7); claim 29 (page 7, lines 11-14; Fig. 1); and claim 30 (page 9, lines 23-25).

8. Concluding Remarks:

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the Claims 11-30.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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